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SUBJECT: GOR RESPONSE TO CHILD LABOR LISTS

REF: SECSTATE 92560

¶1. (U) Per reftel, on September 9 Post delivered a demarche to Nikolai Smirnov, Deputy Director of the Ministry of Foreign Affairs' North America Department, on the release of the Department of Labor's list of goods from countries that the Bureau of International Labor Affairs has reason to believe are produced by forced labor or child labor in violation of international standards; the proposed update to the 2001 list of products that might have been mined, produced, or manufactured by forced or indentured child labor; and the 2008 Findings on the Worst Forms of Child Labor.

¶2. (U) On October 23, we received the following written response from Smirnov:

With regard to your letter from September 9 concerning the preliminary publication by the Department of Labor of the annual report on the use of forced labor and child labor in different countries and the inclusion of Russia on the list of such countries because of child pornography production, I would like to communicate the following information:

In the Russian legal system, child pornography is not considered in terms of an economic category (in terms of a good), but is a result of criminally liable action. The use of children to prepare pornographic products is not "child labor," that is, an allowed form of children's economic activity, but rather a crime against minors.
Beyrle